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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,644	03/19/2004	Sook C. Chua	END920050015US1	7732
47121 7590 10/02/2008 (SAUL-END) PATENT DOCKETING CLERK IBM Corporation (SAUL-END) C/O Saul Ewing LLP Penn National Insurance Tower 2 North Second Street, 7th Floor Harrisburg, PA 17101				
EXAMINER				
CLOUD, JOIYA M				
ART UNIT		PAPER NUMBER		
2144				
MAIL DATE		DELIVERY MODE		
10/02/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/804,644

Applicant(s)

CHUA, SOOK C.

Examiner

Joiya M. Cloud

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)
- Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

1. This action is responsive to the communication filed on 07/31/2008. Claims 1-22 are PENDING. Applicant's arguments have been carefully considered but are not persuasive.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 07/31/2008 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-22** are rejected under 35 U.S.C. 102(e) as being clearly anticipated by **Ebro (Pub. No. 2004/0168169 A1)**

As per claim 1, Ebro teaches a method for managing the invocation of multiple versions of a J2EE program, stored on an application server, among multiple clients accessing the application server, using an identical service name (**paragraph [0191], service name is the domain name where each version of each product is located via the DAJP and the client "need only be aware of the domain name" and not the specific version of each product for which it is seeking to retrieve**) for the invocation of the multiple versions of the J2EE program (**paragraphs [0190], [0192], [0195], [0198]**) comprising: interposing a JNDI proxy between each client and the application server (**[0129]**); associating each client with one of said versions (**paragraph [0121]**); and using said JNDI proxy, directing the version associated with a particular client to said particular client upon a request by said particular client for said J2EE program (**paragraphs [0246], [0121], [0271], [0275], [0278], and [0161]**).

As per claim 2, Ebro teaches a method wherein associating each client with one of said versions comprises: assigning a service name used by each client to access said J2EE program (**paragraphs [0121], [0271], [0275], [0278], and [0161]**); assigning an alias name for each version of said J2EE program (**paragraphs [0121], [0271], [0275], [0278], and [0161]**); and associating each service name for each client with the version of said J2EE program to be used by each of said clients (**paragraphs [0121], [0271], [0275], [0278], and [0161]**).

As per claim 3, Ebro teaches a method wherein the service name used by each client is identical.

As per claim 6, Ebro teaches a method wherein said J2EE program comprises one or more EJBs (**paragraphs [0089] and [0286]**).

As per claim 5, Ebro teaches a method wherein said J2EE program comprises at least one JMS resource (**paragraph [106], [0133]**).

As per claim 8, Ebro teaches a method wherein said J2EE program comprises at least one JDBC datasource (**paragraph [0022], [0032]**).

As per claim 7, Ebro teaches a method wherein said J2EE program is a system-oriented J2EE program (**paragraph [0006]**).

As per claim 8-14, claims 8-14 are substantially the same as claims 1-7, but in system form rather than method form. Therefore the rejection for claims 1-7 applies equally as well to claims 8-14.

As per claim 15-21, claims 15-21 are substantially the same as claims 1-7, but in computer program product form rather than method form. Therefore the rejection for claims 1-7 applies equally as well to claims 15-21.

Response to Arguments

A) Without a teaching of associating each client with one of multiple versions of a J2EE program stored on a single application server based upon a request using an identical service name by each client, Ebro cannot be said to anticipate the present invention.

As to the above point A), Examiner respectfully disagrees. Upon further review, Examiner submits additional citations of the prior art that further detail Applicant's claim limitations. Ebro discloses where a domain name, that is functionally equivalent to the *identical service name* (per Applicant's claim amendments), is used to access different versions of a product specified by each client (i.e. client1 wants to interface Prod1, paragraph [0249] and [0195]). Furthermore, the Jndi Provider links to the specific location of the object associated with each version (paragraph [0250]), but the clients need only be aware of the domain name and not the specific version of each product for which it is seeking to retrieve. "Each version of each product" has a binding "just once," therefore requiring the use of the same service name to invoke multiple versions (paragraph [0195]). See also paragraphs [0190], [0192], [0198]. Examiner suggests amending the claim language to include specific aspects as discussed by Applicant in the Remarks, relating to the method for associating, including performing translation by the JNDI proxies and how specifically this method of translation overcomes the prior art of record.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joiya Cloud whose telephone number is 571-270-1146. The examiner can normally be reached Monday to Friday from on 7:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3922. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JMC

/William C. Vaughn, Jr./

Supervisory Patent Examiner, Art Unit 2144

September 27, 2008

